

# Exhibit A

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

RODNEY REED,

Plaintiff,

v.

BRYAN GOERTZ, Bastrop County District  
Attorney, in his official capacity only,

Defendant.

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**CIVIL CASE NO. 1:19-cv-794**

**CAPITAL CASE**

**INITIAL DISCLOSURES OF RODNEY REED PURSUANT TO RULE 26(a)(1)(A)**

Pursuant to Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure, plaintiff Rodney Reed (“Plaintiff”), hereby submits his initial disclosures. Plaintiff reserves the right to supplement or revise these initial disclosures in light of further discovery, factual investigation, and trial preparation. Plaintiff also reserves all objections, claims of privilege, and work-product protection, in this case or any other case or proceeding, regarding the use for any purpose of these initial disclosures or any of the information or documents referenced herein.

The following disclosures are based on information currently known to Plaintiff and are provided without prejudice to producing, during discovery or at any point before or at trial, any additional information or documents that are subsequently discovered, subsequently determined to be relevant for any purpose or subsequently determined to have been omitted from these initial disclosures. Plaintiff makes these disclosures without waiving any applicable privilege or protection, his right to object on any grounds to the use of any documents or information

identified herein, or his right to object to discovery requests that include the categories of documents below.

# **I. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION**

Subject to the reservation of rights and privileges described above and based upon the information now reasonably available to him, Plaintiff hereby identifies the following individuals who are reasonably likely to have discoverable information that Plaintiff may use to support his claims or defenses, unless the use would solely be for impeachment.

<b>Name</b>	<b>Address / Phone</b>	<b>Area of Knowledge</b>
Rodney Reed	c/o Bryce Benjet, Esq. THE INNOCENCE PROJECT [REDACTED] and Andrew F. Macrae LEVATINO PACE PLLC [REDACTED]	Relationship with Stacey Stites
Jimmy Fennell, Jr.	c/o Robert M. Phillips, Esq. [REDACTED]	Relationship with Stacey Stites; timeline of events before her death
Bryan Goertz, Bastrop County District Attorney	[REDACTED]	State's basis for opposition to DNA testing; condition of the evidence sought to be tested; evidence that has been tested; chain of custody
Matthew Ottoway, Assistant Attorney General	Office of the Attorney General [REDACTED]	State's basis for opposition to DNA testing; condition of the evidence sought to be tested; evidence that has been tested
Lisa Tanner, Assistant Attorney General	Office of the Attorney General [REDACTED]	State's handling of trial evidence; chain of custody

Sarah Loucks, Bastrop County District Clerk	[REDACTED]	Condition of evidence in the custody of the Bastrop County District Clerk collected in investigation of the death of Stacey Stites
Etta Wiley, Former Bastrop County District Clerk	[REDACTED]	Condition of evidence in the custody of the Bastrop County District Clerk collected in investigation of the death of Stacey Stites
Gerald Clough	Office of the Attorney General [REDACTED]	Condition of evidence in the custody of the Bastrop County District Clerk collected in investigation of the death of Stacey Stites
Maurice Cook, Bastrop County Sheriff	[REDACTED]	Condition of evidence in the custody of the Bastrop County Sheriff collected in investigation of the death of Stacey Stites
Steve McCraw, Director of the Texas Department of Public Safety	Agency #: 405 [REDACTED]	Condition of evidence in the custody of the Texas Department of Public Safety collected in investigation of the death of Stacey Stites
Deanna D. Lankford, M.T. (ASCP), Associate Laboratory Director	Orchid Cellmark, Inc. [REDACTED]	Ability of forensic DNA testing to provide probative results.
John Paolucci	Forensics 4 Real Inc. [REDACTED]	Crime scene investigation
Michael M. Baden, M.D.	[REDACTED]	Forensic pathology
Werner Spitz, M.D.	[REDACTED]	Forensic pathology
LeRoy Riddick, M.D.	[REDACTED]	Forensic pathology
Karen Blakely,	[REDACTED]	Investigation of original crime scene; collection of evidence
Meghan Clement	[REDACTED]	Serology

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In addition to the persons identified above, Plaintiff also identifies all persons identified by Defendant in this action in his Rule 26(a)(1) initial disclosures. Plaintiff reserves the right to amend or supplement the above as more information becomes available.

## **II. CATEGORIES OF DOCUMENTS, ELECTRONICALLY STORED INFORMATION AND TANGIBLE THINGS SUPPORTING PLAINTIFF'S CLAIMS**

Subject to the reservation of rights and privileges described above, Plaintiff identifies the following category of non-privileged documents, electronically stored information, and tangible things (collectively "Documents") that (1) may be in his possession, custody, or control, and (2) may be used to support his claims or defenses, unless the use would be solely for impeachment. It is believed that Defendant is already in possession, custody or control of the documents, ESI and tangible things noted below.

- All documents, electronically stored information, and tangible things in the custody of (i) Defendant, and (ii) the Bastrop County District Clerk, Bastrop County Sheriff, and Texas Department of Public Safety, collected or generated in the investigation of the death of Stacey Stites.
- All documents, electronically stored information, and tangible things identified by Defendant in this action in his initial and supplemental disclosures pursuant to Federal Rules of Civil Procedure 26(a) and (e).

Plaintiff reserves the right to amend or supplement the above as more information becomes available.

## **III. CALCULATION OF DAMAGES**

Because Plaintiff seeks only declaratory relief in this action, this provision does not apply. Plaintiff reserves all rights to seek damages and all other or further relief.

#### IV. INSURANCE AGREEMENTS

At this time, Plaintiff is not aware of any insurance policy under which an insurance carrier would be liable to satisfy part or all of a judgment in this action.

DATED: October 10, 2019

Respectfully submitted,

/s/Bryce Benjet

BRYCE BENJET

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*Attorneys for Rodney Reed, Plaintiff*

**CERTIFICATE OF SERVICE**

I certify that on this 10th day of October, 2019, I transmitted the foregoing document via email to Matthew Ottoway, counsel for defendant Brian Goertz.

/s/ Andrew F. MacRae

Andrew F. MacRae

Dated: October 10, 2019

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